

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUADALUPE CRUZ,

Petitioner,

No. CIV S-05-0763 FCD KJM P

vs.

THERESA SCHWARTZ, Warden, et al.,

Respondents.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On June 6, 2005, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty days. Petitioner has not filed objections to the findings and recommendations.

Although it appears from he file that petitioner's copy of the findings and recommendations were returned, petitioner was properly served. It is the petitioner's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 83-182(f), service of documents at the record address of the party is fully effective.

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

4 1. The findings and recommendations filed June 6, 2005, are adopted in full; and
5 2. This action is dismissed for petitioner's failure to keep the court apprised of his
6 current address.

7 DATED:August 19, 2005

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10 /s/ Frank C. Damrell Jr.
11 FRANK C. DAMRELL JR.
12 United States District Judge
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